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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,868	02/11/2004	Guofang Cao	04-62593-pk2	6104
36596	7590	01/31/2006	EXAMINER	
LAW OFFICES OF J.F. LEE 17800 CASTLETON STREET SUITE 383 CITY OF INDUSTRY, CA 91748			MILLER, BENA B	
			ART UNIT	PAPER NUMBER
			3725	

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/777,868

Applicant(s)

CAO, GUOFANG

Examiner

Bena Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Bena B Miller

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4 and 6 are finally rejected under 35 U.S.C. 102(b) as being anticipated by Wiman et al (US Patent 5,810,518).

The device of Wiman reads on the structural limitations of the claim including a holding block (1) and a tooth (10,5), having slots. The one side of the block is curved outward and onside of the tooth is curved inward as shown in figure 1. The slots of Wiman are in centripetal direction.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4 and 6 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson (US Patent 6,146,061).

Larsson teaches in the figures most of the elements of the claimed invention, including a holding block (fig.1), a tooth having a plurality of corresponding grooves (fig. 1 and 2) and centripetal direction slots (fig. 1). However, Larsson fails to teach a

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plurality of slots. It would have been obvious to one having ordinary skill in the art at time the invention was made to provide a plurality of slots , since it has been held that mere duplication of the essential working parts of a device involves only routine skill the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Claims 1, 2 and 4-6 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Bystrom et al (US Patent 5,924,826).

Bystrom teaches in the figures most of the elements of the claimed invention, including a holding block (2), a tooth having a plurality of corresponding grooves (1) and centripetal direction slots (fig. 1). However, Bystrom fails to teach a plurality of slots. It would have been obvious to one having ordinary skill in the art at time the invention was made to provide a plurality of slots , since it has been held that mere duplication of the essential working parts of a device involves only routine skill the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

At the time the invention was made, it would have been an obvious matter of design choice to a persons of ordinary skill in the art to have the slots of Bystrom tangential direction because Applicant has not disclosed that the slots of Bystrom tangential direction provides an advantage, is used for a particular purpose, or solves a stated problem.

Therefore, it would have been prima facie obvious to modify the device Bystrom to obtain the invention specified in claim 5 because such modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Bystrom.

Response to Arguments

Applicant's arguments filed 11/18/05 have been fully considered but they are not persuasive. In reference to Applicant's argument in reference to Applicant required submitting a "Replacement Sheet" or "New" drawing for Figure 3B, the Examiner agrees with the Applicant's argument.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the bolts [or tightening screws]) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

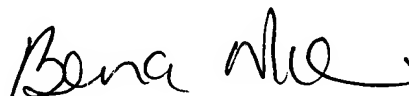
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bena Miller whose telephone number is 571.272.4427. The examiner can normally be reached on Monday-Friday.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bena Miller
Primary Examiner
Art Unit 3725

bbm
January 24, 2006